

**2017-2018 BUDGET QUESTION**  
***Response to Request for Information***

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**DEPARTMENT:** Austin Code

**REQUEST NO.:** 90

**REQUESTED BY:** Casar

**DATE REQUESTED:** 8/15/17

**DATE POSTED:** 8/22/17

**REQUEST:** What is required to change the fee structure for the repeat offender program registration? What action would be required to raise the amount repeat offender registrants pay per year? What action would be required to charge the registration fee per unit, instead of per property?

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**RESPONSE:**

**What is required to change the fee structure for the repeat offender program registration?**

To change the fee structure for the Repeat Offender Program, Council must adopt an ordinance that amends City Code and requires a registrant to pay an additional fee. A City Code amendment that imposes an additional fee raises legal concerns, which must be addressed in a legal opinion. An attorney-client privileged legal opinion was provided by the City Attorney's Office on August 16, 2017, pursuant to the City's standard protocol for providing legal advice.

**What action would be required to raise the amount repeat offender registrants pay per year?**

The amount of a fee is based on the cost to regulate or to provide a service and is set when Council adopts the fee schedule ordinance. An increase in the amount of the fee raises legal concerns, which must be addressed in a legal opinion. An attorney-client privileged legal opinion was provided by the City Attorney's Office on August 16, 2017, pursuant to the City's standard protocol for providing legal advice.

**What action would be required to charge the registration fee per unit, instead of per property?**

The amount of a fee is based on the cost to regulate or to provide a service and is set when Council adopts the fee schedule ordinance. When appropriate, a fee can be set on a per unit basis. Setting the fee on a per unit basis raises legal concerns, which must be addressed in a legal opinion. An attorney-client privileged legal opinion was provided by the City Attorney's Office on August 16, 2017, pursuant to the City's standard protocol for providing legal advice.